Sponsor: Rep. Smith

1A.rca. (SDE-EIA: Report Card Advertisement) If an audited newspaper of general circulation in a school district's geographic area has previously published the entire school report card results as a news item, the requirement that the school district must advertise the results of their schools' report cards in an audited newspaper of general circulation in their geographic area within 45 days shall be waived for the school district.

Public Education & Speedal Schools Subcommittee PE-2

1.62 AMEND (Child Development Education Pilot Program) Establishes the South Carolina Child Development Pilot Program to provide four-year old kindergarten services to at-risk children in the 8 trial districts and if any funds remain, to expand the program to the remaining plaintiff districts in the Abbeville County School District. Directs that the program be available for the 2008-09 school year on a voluntary basis. Directs the EOC to conduct an evaluation of the pilot program and issue a report to the General Assembly by 1/1/09. Authorizes unexpended funds to be carried forward and remain in the program.

SUBCOMMITTEE RECOMMENDATION: AMEND proviso to update school year references to "2009-10" and calendar year references to "1010." Direct that after expanding to the remaining plaintiff school districts, the program is expanded to eligible children residing in school districts with a 90% or greater poverty index. Allow providers to request waivers to the ECD 101 requirement for assistants demonstrating their completion of either comparable coursework or possessing an extensive experiential background. Change the funded cost per child from "\$4,093" to "\$4,262" for the 2009-10 school year. Direct that providers enrolling between 1 & 6 eligible children are eligible to receive up to \$1,000 per child in materials and equipment grant funds and those enrolling 7 or more eligible for up to \$10,000. Direct that providers that receive these grants are expected to participate in the program and provide high-quality, center-based programs for a minimum of 3 years and if they fail to participate for three years a portion of the equipment allocation must be returned at a level determined by the department Office of First Direct that school districts who participate in the program are not eligible to receive EIA funding for half-day early childhood development programs. Update the due date for the EOC to submit findings on the program to the General Assembly to "2010." Direct the EOC, in compliance with Section 59-6-110 [DUTIES OF ACCOUNTABILITY DIVISION], to contract out for a fiscal audit of the South Carolina Child Development Education Pilot Program. Direct that the report include a county by county assessment of existing public and private classroom capacity approved for at-risk 4 year old kindergarten students based on data collected every three years. Direct that the 2010 evaluation also include: (1) a determination of the factors including policy issues, leadership characteristics and community concerns that led to substantial increases in the number of CDEPP participants served in specific districts and counties; (2) a determination of the factors that influence the continuity of CDEPP student enrollment across the full 180-day program and policy or programmatic changes needed to assure that CDEPP participants fully benefit from the program; (3) a determination of how many private childcare center teachers are pursuing a 4 year degree and the barriers incurred in obtaining the degree; and (4) a review of any formalized plan or evaluation data to assess the quality and impact of professional development and training provided by the Office of First Steps and the Department of Education to CDEPP teachers. Fiscal Impact: PENDING.

(SDE: Child Development Education Pilot Program) There is created the South Carolina Child Development Education Pilot Program (CDEPP). This program shall be available for the 2008-2009 2009-10 school year on a voluntary basis and shall focus on the developmental and learning support that children must have in order to be ready for school and must incorporate parenting education.

(A) For the 2008-2009 2009-10 school year, with funds appropriated by the General Assembly, the South Carolina Child Development Education Pilot Program shall first be made available to eligible children from the following eight trial districts in Abbeville County School District et. al. vs. South Carolina: Allendale, Dillon 2, Florence 4, Hampton 2, Jasper, Lee, Marion 7, and Orangeburg 3. With any remaining funds available, the pilot shall be expanded to the remaining plaintiff school districts in Abbeville County School District et. al. vs. South Carolina and then expanded to eligible children residing in school districts with a poverty index of 90% or greater. Priority shall be given to implementing the program first in those of the

plaintiff districts which participated in the pilot program during the 2006-2007 school year, then in the plaintiff districts having proportionally the largest population of underserved at-risk four-year-old children. During the implementation of the pilot program, no funds appropriated by the General Assembly for this purpose shall be used to fund services to at-risk four-year-old children residing outside of the trial or plaintiff districts.

The Education Oversight Committee shall conduct an evaluation of the pilot program and shall issue a report to the General Assembly by January 1, 2009 2010. The report shall include a comparative evaluation of children served in the pilot program and children not served in the pilot program. Additionally, based on the evaluation of the pilot program, the Education Oversight Committee shall include recommendations for the creation of and an implementation plan for phasing in the delivery of services to all at-risk four-year-old children in the state.

Unexpended funds from the prior fiscal year for this program shall be carried forward and shall remain in the program. In rare instances, students with documented kindergarten readiness barriers may be permitted to enroll for a second year, or at age five, at the discretion of the Department of Education for students being served by a public provider or at the discretion of the Office of South Carolina First Steps to School Readiness for students being served by a private provider.

(B) Each child residing in the pilot districts, who will have attained the age of four years on or before September 1, of the school year, and meets the at-risk criteria is eligible for enrollment in the South Carolina Child Development Education Pilot Program for one year.

The parent of each eligible child may enroll the child in one of the following programs:

- (1) a school-year four-year-old kindergarten program delivered by an approved public provider; or
- (2) a school-year four-year-old kindergarten program delivered by an approved private provider.

The parent enrolling a child must complete and submit an application to the approved provider of choice. The application must be submitted on forms and must be accompanied by a copy of the child's birth certificate, immunization documentation, and documentation of the student's eligibility as evidenced by family income documentation showing an annual family income of 185% or less of the federal poverty guidelines as promulgated annually by the U.S. Department of Health and Human Services or a statement of Medicaid eligibility.

In submitting an application for enrollment, the parent agrees to comply with provider attendance policies during the school year. The attendance policy must state that the program consists of 6.5 hours of instructional time daily and operates for a period of not less than 180 days per year. Pursuant to program guidelines, noncompliance with attendance policies may result in removal from the program.

No parent is required to pay tuition or fees solely for the purpose of enrolling in or attending the program established under this provision. Nothing in this provision prohibits charging fees for childcare that may be provided outside the times of the instructional day provided in these programs.

(C) Public school providers choosing to participate in the South Carolina Four-Year-Old Child Development Kindergarten Program must submit an application to the Department of Education. Private providers choosing to participate in the South Carolina Four-Year-Old Child Development Kindergarten Program must submit an application to the Office of First Steps. The application must be submitted on the forms prescribed, contain assurances that the provider meets all program criteria set forth in this provision, and will comply with all reporting and assessment requirements.

Providers shall:

(1) comply with all federal and state laws and constitutional provisions prohibiting discrimination on the basis of disability, race, creed, color, gender, national origin, religion, ancestry, or need for special education services;

- (2) comply with all state and local health and safety laws and codes;
- (3) comply with all state laws that apply regarding criminal background checks for employees and exclude from employment any individual not permitted by state law to work with children;
- (4) be accountable for meeting the education needs of the child and report at least quarterly to the parent/guardian on his progress;
 - (5) comply with all program, reporting, and assessment criteria required of providers;
- (6) maintain individual student records for each child enrolled in the program to include, but not be limited to, assessment data, health data, records of teacher observations, and records of parent or guardian and teacher conferences;
- (7) designate whether extended day services will be offered to the parents/guardians of children participating in the program;
 - (8) be approved, registered, or licensed by the Department of Social Services; and
- (9) comply with all state and federal laws and requirements specific to program providers.

Providers may limit student enrollment based upon space available. However if enrollment exceeds available space, providers shall enroll children with first priority given to children with the lowest scores on an approved pre-kindergarten readiness assessment. Private providers shall not be required to expand their programs to accommodate all children desiring enrollment. However, providers are encouraged to keep a waiting list for students they are unable to serve because of space limitations.

- (D) The Department of Education and the Office of First Steps to School Readiness shall:
 - (1) develop the provider application form;
 - (2) develop the child enrollment application form;
- (3) develop a list of approved research-based preschool curricula for use in the program based upon the South Carolina Content Standards, provide training and technical assistance to support its effective use in approved classrooms serving children;
- (4) develop a list of approve pre-kindergarten readiness assessments to be used in conjunction with the program, provide assessments and technical assistance to support assessment administration in approved classrooms serving children;
 - (5) establish criteria for awarding new classroom equipping grants;
 - (6) establish criteria for the parenting education program providers must offer;
- (7) establish a list of early childhood related fields that may be used in meeting the lead teacher qualifications;
- (8) develop a list of data collection needs to be used in implementation and evaluation of the program;
- (9) identify teacher preparation program options and assist lead teachers in meeting teacher program requirements;
 - (10) establish criteria for granting student retention waivers; and
 - (11) establish criteria for granting classroom size requirements waivers.
- (E) Providers of the South Carolina Child Development Education Pilot Program shall offer a complete educational program in accordance with age-appropriate instructional practice and a research based preschool curriculum aligned with school success. The program must focus on the developmental and learning support children must have in order to be ready for school. The provider must also incorporate parenting education that promotes the school readiness of preschool children by strengthening parent involvement in the learning process with an emphasis on interactive literacy.

Providers shall offer high-quality, center-based programs that must include, but shall not be limited to, the following:

- (1) employ a lead teacher with a two-year degree in early childhood education or related field or be granted a waiver of this requirement from the Department of Education or the Office of First Steps to School Readiness;
- (2) employ an education assistant with pre-service or in-service training in early childhood education;
- (3) maintain classrooms with at least 10 four-year-old children, but no more than 20 four-year-old children with an adult to child ratio of 1:10. With classrooms having a minimum of 10 children, the 1:10 ratio must be a lead teacher to child ratio. Waivers of the minimum class size requirement may be granted by the South Carolina Department of Education for public providers or by the Office of First Steps to School Readiness for private providers on a case-by-case basis;
- (4) offer a full day, center-based program with 6.5 hours of instruction daily for 180 school days;
- (5) provide an approved research-based preschool curriculum that focuses on critical child development skills, especially early literacy, numeracy, and social/emotional development;
- (6) engage parents' participation in their child's educational experience that shall include a minimum of two documented conferences per year; and
 - (7) adhere to professional development requirements outlined in this article.
- (F) Every classroom providing services to four-year-old children established pursuant to this provision must have a lead teacher with at least a two-year degree in early childhood education or related field and who is enrolled and is demonstrating progress toward the completion of a teacher education program within four years. Every classroom must also have at least one education assistant per classroom who shall have the minimum of a high school diploma or the equivalent, and at least two years of experience working with children under five years old. The teaching assistant shall have completed the Early Childhood Development Credential (ECD) 101 or enroll and complete this course within twelve months of hire. Providers may request waivers to the ECD 101 requirement for those assistants who have demonstrated sufficient experience in teaching children 5 years old and younger. The providers must request this waiver in writing to their designated administrative agency (First Steps or the Department of Education) and provide appropriate documentation as to the qualifications of the teaching assistant.
- (G) The General Assembly recognizes there is a strong relationship between the skills and preparation of pre-kindergarten instructors and the educational outcomes of students. To improve these education outcomes, participating providers shall require all personnel providing instruction and classroom support to students participating in the South Carolina Child Development Education Pilot Program to participate annually in a minimum of 15 hours of professional development to include teaching children from poverty. Professional development should provide instruction in strategies and techniques to address the age-appropriate progress of pre-kindergarten students in developing emergent literacy skills, including but not limited to, oral communication, knowledge of print and letters, phonemic and phonological awareness, and vocabulary and comprehension development.
- (H) Both public and private providers shall be eligible for transportation funds for the transportation of children to and from school. Nothing within this provision prohibits providers from contracting with another entity to provide transportation services provided the entities adhere to the requirements of Section 56-5-195. Providers shall not be responsible for transporting students attending programs outside the district lines. Parents choosing program providers located outside of their resident district shall be responsible for transportation. When transporting four-year-old child development students, providers shall make every effort to transport them with students of similar ages attending the same school. Of the amount appropriated for the program, not more than \$185 per student shall be retained by the

Department of Education for the purposes of transporting four-year-old students. This amount must be increased annually by the same projected rate of inflation as determined by the Division of Research and Statistics of the Budget and Control Board for the Education Finance Act.

- (I) For all private providers approved to offer services pursuant to this provision, the Office of First Steps to School Readiness shall:
 - (1) serve as the fiscal agent;
 - (2) verify student enrollment eligibility;
- (3) recruit, review, and approve eligible providers. In considering approval of providers, consideration must be given to the provider's availability of permanent space for program service and whether temporary classroom space is necessary to provide services to any children;
- (4) coordinate oversight, monitoring, technical assistance, coordination, and training for classroom providers;
- (5) serve as a clearing house for information and best practices related to fouryear-old kindergarten programs;
- (6) receive, review, and approve new classroom grant applications and make recommendations for approval based on approved criteria;
- (7) coordinate activities and promote collaboration with other private and public providers in developing and supporting four-year-old kindergarten programs;
 - (8) maintain a database of the children enrolled in the program; and
- (9) promulgate guidelines as necessary for the implementation of the pilot program.
- (J) For all public school providers approved to offer services pursuant to this provision, the Department of Education shall:
 - (1) serve as the fiscal agent;
 - (2) verify student enrollment eligibility;
- (3) recruit, review, and approve eligible providers. In considering approval of providers, consideration must be given to the provider's availability of permanent space for program service and whether temporary classroom space is necessary to provide services to any children;
- (4) coordinate oversight, monitoring, technical assistance, coordination, and training for classroom providers;
- (5) serve as a clearing house for information and best practices related to fouryear-old kindergarten programs;
- (6) receive, review, and approve new classroom grant applications and make recommendations for approval based on approved criteria;
- (7) coordinate activities and promote collaboration with other private and public providers in developing and supporting four-year-old kindergarten programs;
 - (8) maintain a database of the children enrolled in the program; and
- (9) promulgate guidelines as necessary for the implementation of the pilot program.
- (K) The General Assembly shall provide funding for the South Carolina Child Development Education Pilot Program. For the 2008-09 2009-10 school year, the funded cost per child shall be \$4,093 \$4,262 increased annually by the rate of inflation as determined by the Division of Research and Statistics of the Budget and Control Board for the Education Finance Act. Eligible students enrolling with private providers during the school year shall be funded on a pro-rata basis determined by the length of their enrollment. Private providers transporting eligible children to and from school shall be eligible for a reimbursement of \$550 per eligible child transported. Providers who are reimbursed are required to retain records as required by their fiscal agent. With funds appropriated by the General Assembly, the Department of

Education shall approve grants for public providers and the Office of First Steps to School Readiness shall approve grants for private providers, of up to \$10,000 per class for the equipping of new classrooms. Providers enrolling between one and six eligible children shall be eligible to receive up to \$1,000 per child in materials and equipment grant funding, with providers enrolling seven of more such children eligible for grants not to exceed \$10,000. Providers receiving equipment grants are expected to participate in the program and provide high-quality, center-based programs as defined herein for a minimum of three years. Failure to participate for three years will require the provider to return a portion of the equipment allocation at a level determined by the Department of Education and the Office of First Steps to School Readiness. Funding of up to two thousand five hundred dollars may be provided annually for the procurement of consumable and other materials in established classrooms. Funding to providers is contingent upon receipt of data as requested by the Department of Education and the Office of First Steps. School districts who participate in the program are not eligible to receive EIA funding for half-day early childhood development programs.

- (L) Pursuant to this provision, the Department of Social Services shall:
 - (1) maintain a list of all approved public and private providers; and
- (2) provide the Department of Education, the Office of First Steps, and the Education Oversight Committee information necessary to carry out the requirements of this provision.

(M)The Education Oversight Committee shall conduct a comparative evaluation of the South Carolina Child Development Education Pilot Program and issue their findings in a report to the General Assembly by January 1, 2009 2010. Based on information, data, and evaluation results, the Education Oversight Committee shall include as part of their report recommendations for the creation and implementation of a statewide four-year-old kindergarten program for at-risk children. The report shall also include information and recommendations on lead teacher qualifications and options for creating comparable salary schedules for certified teachers employed by private providers. In the current fiscal year, the Education Oversight Committee shall use funds appropriated by the General Assembly for four-year-old evaluation to support the annual collection of and continuous evaluation of data. In compliance with Section 59-6-110 [] the EOC will contract out for a fiscal audit of the South Carolina Child Development Education Pilot Program.

The report shall also include an assessment, by county, on the availability and use of existing public and private classroom capacity approved for at-risk four-year-old kindergarten students based on data collected triennially. The report shall include, by county, the estimated four-year-old population, the total number of CDEPP approved four-year-old kindergarten spaces available, the number of four-year-old children enrolled in both public and private CDEPP approved facilities, and the number of children on waiting lists for either public or private providers during the reporting period. Where possible, the report shall also include anticipated four-year-old kindergarten enrollment projections for the two years following the report. The 2010 evaluation will also include the following: (1) a determination of the factors including policy issues, leadership characteristics and community concerns that led to substantial increases in the number of CDEPP participants served in specific districts and counties; (2) a determination of the factors that influence the continuity of CDEPP student enrollment across the full 180-day program and policy or programmatic changes needed to assure that CDEPP participants fully benefit from the program; (3) a determination of how many private childcare center teachers are pursing a four-year degree and the barriers incurred in obtaining the degree; and (4) a review of any formalized plan or evaluation data to assess the quality and impact of professional development and training provided by the Office of First Steps and the Department of Education to CDEPP teachers.

To aid in this evaluation, the Education Oversight Committee shall determine the data necessary and both public and private providers are required to submit the necessary data as a

condition of continued participation in and funding of the program. This data shall include developmentally appropriate measures of student progress. Additionally, the Department of Education shall issue a unique student identifier for each child receiving services from a private provider. The Department of Education shall be responsible for the collection and maintenance of data on the public state funded full day and half-day four-year-old kindergarten programs. The Office of First Steps to School Readiness shall be responsible for the collection and maintenance of data on the state funded programs provided through private providers. The Education Oversight Committee shall use this data and all other collected and maintained data necessary to conduct a research based review of the program's implementation and assessment of student success in the early elementary grades.

- 19.3 AMEND (SC Educational Broadband Service Commission/Broadband License) Creates a seven member South Carolina Educational Broadband Service Commission to obtain proposals from commercial entities for leasing excess spectrum capacity of ETV's Education Broadband Service Licenses. Directs the commission to recommend one of the proposals for approval of the Joint Bond Review Committee and subsequently the Budget and Control Board. Assigns the B&C Board responsibility for managing and administering the agreements resulting from an approved proposal upon termination of the commission (six months after all agreements are executed, or no later than June 30, 2010), and requires the board to pay expenses of the Commission up to \$750,000.
 - **PUBLIC EDUCATION AND SPECIAL SCHOOL SUBCOMMITTEE RECOMMENDATION:** AMEND proviso to delete all but the last paragraph requiring the B&C Board to pay up to \$750,000 of commission expenses. Amend to reference Act 405 of 2008 and specify that the \$750,000 for commission expenses applies to all years combined. Delete reference to the authority to use "Funded Debt Sinking Fund" and update fiscal year references. *Proviso passed as a joint resolution (Act 405 of 2008) except for the last paragraph.* Fiscal Impact: No impact on the General Fund. Maintains the requirement that the B&C Board pay up to \$750,000 of the commission's expenses. Requested by Budget and Control Board.
 - 19.3. (ETV: SC Educational Broadband Service Commission/Broadband License) There is created a commission to be known as the South Carolina Educational Broadband Service Commission. All appointees must have a background of substantial duration and expertise in business. The commission shall be composed of the following seven members:
 - (1) One member of the private sector appointed by the President Pro Tempore of the Senate:
 - (2) One member of the private sector appointed by the Speaker of the House of Representatives;
 - (3) One member of the private sector appointed by the Chairman of the Senate Finance Committee;
 - (4) One member of the private sector appointed by the Chairman of the House Ways and Means Committee;
 - (5) One member of the private sector appointed by the Chairman of the State Regulation of Public Utilities Review Committee;
 - (6) One member of the private sector appointed by the Vice-Chairman of the State Regulation of Public Utilities Review Committee; and
 - (7) One member of the private sector appointed by the Governor.

The commission shall elect its chairman and vice chairman at the first meeting of the commission. The appointee of the President Pro Tempore of the Senate shall call an organizational meeting for the purpose of electing officers and other matters that may arise.

The commission must meet as soon as practicable after a majority of members have been appointed. A majority of members of the commission who have been appointed shall constitute a quorum for the transaction of business. A vacancy on the commission shall not impair the ability of a quorum to exercise and perform the powers and duties of the commission.

Commission members serve at the pleasure of the appointing authority. A vacancy in the membership of the commission must be filled in the manner of the original appointment. Commission membership does not constitute an office for purposes of the prohibition on dual office holding provided in Section 3, Article VI of the Constitution of the State. Commission members are subject to the provisions of the Ethics, Government Accountability, and Campaign Reform Act, Chapter 13 of Title 8.

Members shall serve without compensation but are allowed the usual per diem and mileage as provided by law for members of boards, commissions, and committees while on official business.

The commission has the following powers and duties:

- (1) The commission shall use a competitive process to obtain proposals from commercial entities for the leasing of the excess spectrum capacity of the Education Broadband Service (EBS) licenses held by the South Carolina Educational Television Network. The commission shall seek proposals that utilize the excess spectrum capacity of the EBS licenses in the following manners: (a) a single lease of ETV's excess spectrum capacity without any service requirements; (b) a single lease of ETV's excess spectrum capacity with service requirements as recommended by the commission; (c) multiple leases on a regional basis without any service requirements, such regions to be determined by the commission; (d) multiple leases on a regional basis with service requirements as recommended by the commission, such regions to be determined by the commission; and (e) other manners deemed appropriate by the commission. The commission must also consider whether to include any lease of tower space in the proposals in the lease of excess spectrum capacity. In determining any service requirements to impose on potential lessees, the commission must consider the costs and benefits, both monetary and societal, that would be borne by or inure to the public at large, as well as the public to be served. Because broadband service may be provided using a number of different technologies, each of which has unique characteristics and advantages, the commission, in developing its recommended service requirements, must consider the costs and benefits of all methods available to deploy broadband services throughout the State, including wireline, wireless technologies utilizing other bands of the spectrum, or satellite. The commission must not impose any pricing requirements on lessees and must take steps to ensure that the state's assets are not made available to a private broadband service provider to subsidize a private company's competitive service offerings. The competitive process used by the commission shall be governed exclusively by the procedures stated herein and procedures established by the commission.
- (2) The commission shall evaluate the proposals and present the proposals and its recommendations to the Joint Bond Review Committee. The Joint Bond Review Committee shall evaluate the proposals and the commission's recommendations to determine whether a proposal shall be approved. If the Joint Bond Review Committee determines that a proposal shall be approved, this determination shall be presented at the next meeting of the Budget and Control Board for review and approval. If the Budget and Control Board does not approve a proposal, it shall be returned to the Joint Bond Review Committee for further evaluation and recommendation. The South Carolina Education Television Network must take actions necessary to facilitate the lease of the excess spectrum capacity of the EBS licenses in the manner set forth in an approved proposal and to ensure that ETV complies with any FCC rules or requirements. Revenue received by the State from an approved proposal must be deposited into the State General Fund for recommendation by the Governor and appropriation by the General Assembly.
- (3) The commission is exempt from the Consolidated Procurement Code and is authorized to engage legal counsel, consultants, or other experts to assist it in carrying out its powers and duties subject to the approval of the Executive Director of the Budget and Control Board.

The commission shall use clerical and professional employees of the Budget and Control Board. Upon request of the commission, the South Carolina Educational Television Network must make staff available to the commission.

The commission shall terminate six months after all agreements resulting from an approved proposal are finally executed or no later than June 30, 2010. Upon termination of the

commission, the Budget and Control Board shall assume responsibility for the management and administration of all agreements resulting from an approved proposal.

The Budget and Control Board is authorized and directed to pay for any expenses of the eommission incurred that the Broadband Service Commission established by 2008 Act 405 incurs in the performance of its responsibilities, including but not limited to the cost of professional assistance, up to an aggregate amount not to exceed \$750,000 from all years combined. The Executive Director of the Budget and Control Board is authorized to expend and use such sources of agency funds as the director determines, including the dormant Funded Debt Sinking Fund. In addition to any other carry forward allowed by law, the Budget and Control Board is specially authorized to carry forward from Fiscal Year 2007-08 2008-09 into Fiscal Year 2008-09 2009-10 unspent general fund appropriations in the maximum amount it may be required to expend in support of the commission and its activities.

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21.33. (DHHS: Upper Payment Limit for Non-State Owned Public Nursing Facilities) The department shall prepare and submit to the Center for Medicare and Medicaid Services no later than August 1, 2008 2009, a state plan amendment to provide Medicaid supplemental payments to non-state owned public nursing facilities who qualify as Essential Public Safety Net providers. The department shall provide a report on the plan amendment to the House of Representatives Ways and Means Committee and the Senate Finance Committee by the aforementioned date.

Rep. Edge proposes

22.4. (DHEC: Camp Burnt Gin) Private donations or contributions for capital improvements at Camp Burnt Gin shall be deposited in a restricted account and carried forward until sufficient amounts are available for such improvements. Any expenditures from the account must first be approved by the Budget and Control Board and the Joint Bond Review Committee.

Private donations or contributions for the operation of Camp Burnt Gin shall be deposited in a restricted account. These funds may be carried forwarded and shall be made available as needed to fund the operation of the Camp. Withdrawals from this restricted account must be in accordance with approved procedures.

4-4

20.30. (DHHS: Medicaid Cost and Quality Effectiveness) The Department of Health and Human Services shall establish a procedure to assess the various forms of managed care (Health Maintenance Organizations and Medical Home Networks, and any other forms authorized by the department) to measure cost effectiveness and quality. These measures must be conducted by December 15 of each year. The Healthcare Effectiveness Data and Information Set (HEDIS) shall be used for quality measurement to be performed by a third party independent actuary. Cost effectiveness shall be determined in an actuarially sound manner and data must be aggregated in a manner to be determined by a third party actuary in order to adequately compare cost effectiveness of the different managed care programs. The program measures must use a case-mix adjustment that encourages the managed care organizations to enroll and manage all beneficiaries. The results of the cost effectiveness calculations and quality measures must be made available to the Speaker of the House, Chairman of the Ways and Means Committee, President Pro Tempore of the Senate, and Chairman of the Senate Finance Committee no less than 45 days after the measures have been collected.

Rip. Edge Rioposes

4-5

Provided, that the funds appropriated for Hospital Rural Grants shall be allocated to public hospitals located in very rural or rural areas whose largest town is less than 25,000, or a public hospital that is a hospital district; and who is accredited by the Joint Commission on Health Care Organizations or is a Critical Access Hospital, and whose licensed bed capacity does not exceed 150 beds. Hospitals qualifying for the grants shall utilize such funds for any of the following purposes: a) the development of preventive health programs, medical homes and primary care diversion from emergency departments; b) expanded health services, including physician recruitment and retention; c) to improve hospital facilities; d) activities involving electronic medical records or claims processing systems; e) to enhance disease prevention activities in diabetes, heart disease, etc.; f) activities to insure compliance with state or federal regulations.

H-6

Rep. Young and Edge propose

The Department of Disabilities and Specials Needs cannot remove any summer camps under their purview due to reductions in their budget.

H-7

Rep. Young proposes:

The Coastal Zone Appellate panel as delineated in code section 48-39-40 under the Department of Health & Environmental Control shall be disbanded and removed from operation.

Rep. Edge Proposes:

The Department of Health & Human Services must reimburse the Medical University of South Carolina 100% of costs on all Medicaid Services rendered.

Law Enforcement and Criminal Justice Budget Subcommittee Proposes the following amendment: μ .

A. Affected Agency Section/Code/Name:

Section:

Section 46

Code:

E-21

Name:

SC Commission on Prosecution Coordination

B. Related Funding Priority Number (Leave blank if not associated with funding priority):

C. Proviso Number (If new indicate "New #1," "New #2," etc.): 46.9

D. Action (Indicate Amend, Delete, or Add): Amend

E. Descriptive Proviso Title: (PCC: Criminal Domestic Violence Prosecution)

- F. Summary of Existing or New Proviso: This proviso directs the manner in which criminal domestic violence funding is distributed to the 16 Judicial Circuits so as to provide that \$2,200,000 be apportioned equally among the circuits and the balance thereafter remaining shall be apportioned among the circuits on a per capita basis and based upon the Official Census of 2000; provides that the funds be used solely for the purpose of criminal domestic violence prosecution in the magistrate and circuit courts; directs that payment shall be made as soon after each quarter as practical; provides that each Solicitor shall designate at least one individual prosecutor per county for this purpose; provides that a Solicitor and the Attorney General may partner to accomplish these provisions; and, directs the Prosecution Coordination Commission to retain information and data on criminal domestic violence prosecutions and to provide the General Assembly with an annual report no later than 60 days after the conclusion of the fiscal year.
- G. Explanation of Amendment to/or Deletion of Existing Proviso (If request to delete proviso is due to codification, note the section of the Code of Laws where the language has been codified):

 Provides for an accounting of the expenditure of these funds as well as clarifies that the annual report to the General Assembly reflects only those charges prosecuted by assistant solicitors compensated with these funds.
- H. Explanation of How the Change Affects Current Law or Policy:

 Provides for an accounting of the expenditure of these funds as well as clarifies that the annual report to the General Assembly reflects only those charges prosecuted by assistant solicitors compensated with these funds.

I. Justification:

- a) Description of why this action is necessary: Provides for an accounting of the expenditure of these funds as well as clarifies that the annual report to the General Assembly reflects only those charges prosecuted by assistant solicitors compensated with these funds.
- b) Description of how this action will contribute to the agency's mission:
- c) Cite the section and reference paragraphs if included in your agency's Accountability Report: Pursuant to this proviso, an annual report is submitted to the General Assembly.

We!

- J. Fiscal Impact (Include impact on each source of funds - state, federal, and other): Not Applicable
- K. Submitted by (Include agency name submitting change, contact person name, telephone number and email):

William D. Bilton, Executive Director

SC Commission on Prosecution Coordination

P. O. Box 11561

Columbia, South Carolina 29211

Telephone: (803) 343-0765

Facsimile:

(803) 343-0766

L. Text of New Proviso with Underline or Entire Existing Proviso Text with Strikeover and Underline:

(INSERT PROVISO FROM FY 2009-10 RENUMBERED PROVISO BASE HERE)

SECTION 46 - PROSECUTION COORDINATION COMMISSION

46.9. (PCC: Criminal Domestic Violence Prosecution) Of the amount appropriated in Part IA. Section 46, for Criminal Domestic Violence Prosecution, \$2,200,000 shall be apportioned equally among the circuits and the balance thereafter remaining shall be apportioned among the circuits on a per capita basis and based upon the Official Census of 2000. The amount appropriated shall be used solely for the purpose of criminal domestic violence prosecution in the magistrate and circuit courts. Payment shall be made as soon after the beginning of each quarter as practical. Each Solicitor shall designate at least one individual prosecutor per county for this purpose. A Solicitor and the Attorney General may partner to accomplish these provisions. The Prosecution Coordination Commission shall retain information and data on criminal domestic violence prosecutions and shall provide the General Assembly with an annual report no later than sixty days after the conclusion of the fiscal year of those charges prosecuted by assistant solicitors compensated with these funds. If not privileged information by law, the report shall at a minimum include an accounting of the expenditures of the funds as well as information and statistics regarding the location, the number and type of criminal domestic violence charges, the number of cases prosecuted, and the disposition of the cases.

Law Enforcement and Criminal Justice Budget Subcommittee Proposes the following amendment:

A. Affected Agency Section/Code/Name:

Section:

Section 46

Code:

E-21

Name:

SC Commission on Prosecution Coordination

- B. Related Funding Priority Number (Leave blank if not associated with funding priority):
- C. Proviso Number (If new indicate "New #1," "New #2," etc.): 46.10
- D. Action (Indicate Amend, Delete, or Add): Amend
- E. Descriptive Proviso Title: (PCC: Driving Under the Influence Prosecution)
- F. Summary of Existing or New Proviso: This proviso directs the manner in which driving under the influence funding is distributed to the 16 Judicial Circuits so as to provide that the funds be apportioned equally among the circuits; provides that the funds be used solely for the purpose of driving under the influence prosecution in the magistrate and circuit courts; directs that payment shall be made as soon after each quarter as practical; and, directs the Prosecution Coordination Commission to retain information and data on driving under the influence prosecutions and to provide the General Assembly with an annual report no later than 60 days after the conclusion of the fiscal year.
- G Explanation of Amendment to/or Deletion of Existing Proviso (If request to delete proviso is due to codification, note the section of the Code of Laws where the language has been codified):

 Clarifies that the annual report to the General Assembly reflects only those charges prosecuted by assistant solicitors compensated with these funds.
- H. Explanation of How the Change Affects Current Law or Policy: Clarifies that the annual report to the General Assembly reflects only those charges prosecuted by assistant solicitors compensated with these funds.
- I. Justification:
 - a) Description of why this action is necessary: Clarifies that the annual report to the General Assembly reflects only those charges prosecuted by assistant solicitors compensated with these funds.
 - b) Description of how this action will contribute to the agency's mission:
 - c) Cite the section and reference paragraphs if included in your agency's Accountability Report: Pursuant to this proviso, an annual report is submitted to the General Assembly.
- J. Fiscal Impact (Include impact on each source of funds state, federal, and other):

 Not Applicable
- K. Submitted by (Include agency name submitting change, contact person name, telephone number and email):

William D. Bilton, Executive Director

SC Commission on Prosecution Coordination

P. O. Box 11561

Columbia, South Carolina 29211

Telephone: (803) 343-0765

Facsimile: (803) 343-0766

L. Text of New Proviso with Underline or Entire Existing Proviso Text with Strikeover and Underline:

(INSERT PROVISO FROM FY 2009-10 RENUMBERED PROVISO BASE HERE)

SECTION 46 - PROSECUTION COORDINATION COMMISSION

46.10. (PCC: DUI Prosecution) The amount appropriated in Part IA, Section 46, for Driving Under the Influence Prosecution shall be apportioned equally among the circuits. The amount appropriated shall be used solely for the purpose of driving under the influence prosecution in the magistrate and circuit courts. Payment shall be made as soon after the beginning of each quarter as practical. The Prosecution Coordination Commission shall retain information and data on driving under the influence prosecutions and shall provide the General Assembly with an annual report no later than 60 days after the conclusion of the fiscal year of those charges prosecuted by assistant solicitors compensated with these funds. The report shall at a minimum include an accounting of the expenditure of the funds as well as information and statistics regarding the location, the number and type of driving under the influence charges, the number of cases prosecuted, and the disposition of the cases.

Criminal Justice amendment # 3

Proviso Subcommittee Meeting

February 3, 2009

Proposed Amendment

Sponsor: Rep. Young

New Proviso:

SLED

Section 48

From the funds appropriated to the agency during the current fiscal year, \$10,000 shall be transferred to the Town of Perry for narcotics law enforcement equipment.